

**THE VIRGINIA BOARD FOR
WASTE MANAGEMENT FACILITY OPERATORS**

MEETING MINUTES

The Virginia Board for Waste Management Facility Operators met on Thursday, July 27, 2006 at 9:10 AM, in Conference Room 4 West at the offices of the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

The following members of the Board were present:

Dan Miles
W. A. Dennison
Thomas H. Wade
Mark Edward Brandon
Debra A. Jacobs
Joyce M. Doughty
Stephen Chidsey

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
David Ashe, Chief Deputy Director
Karen O'Neal, Deputy Director for LRD
David E. Dick, Executive Director
Ilona LaPaglia, Legal Assistant
Marilyn Cohn, Administrative Assistant

Others in attendance were:

Gary A. Crawford, Respondent
Quinto Falgiani, Respondent Witness

Eric Gregory, Elizabeth Peay and Intern Jack Blanton from the Office of the Attorney General were present during some of the meeting.

Chairperson Dan Miles finding a quorum of the Board present, **Call to Order** called the meeting to order at 9:10 AM.

Mr. Miles introduced DPOR's new Director, Jay Deboer, David **Introductions** Ashe the new Chief Deputy Director and two new board members: Joyce Doughty and Stephen Chidsey.

Mr. Dennison moved that the Board approve the agenda as prepared **Adopt Agenda** by staff. Mr. Brandon seconded the motion, which was unanimously approved by the following members: Miles, Jacobs,

Brandon, Wade, Dennison, Doughty and Chidsey.

Ms Jacobs moved that the Board approve the minutes of its September 28, 2005 meeting, the IFF minutes of April 13, 2006, April 20, 2006 and June 15, 2006. Mr. Brandon seconded the motion, which was unanimously approved by the following members: Miles, Jacobs, Brandon, Wade, Dennison, Doughty and Chidsey.

**Approval of
Minutes**

Chairperson Miles opened the floor for public comment. No members of the public were present.

**Public Comment
Period**

In the matter of **File Number 2006-03937, Jeffrey Lynn Johnson, Sr.**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Jeffrey Lynn Johnson, Sr. (Respondent) was not present at the Board meeting. Mr. Wade moved that the Board accept the summary and reject the recommendation and deny Mr. Johnson's request for a Class II Waste Management Facility Operators License based upon the seriousness and audaciousness of the crime which was committed more than once and shows a flagrant disregard for the law and a tendency to engage in criminal activity and to endanger public institutions. Mr. Dennison seconded the motion which was approved by the following members: Miles, Jacobs, Brandon, Wade, Dennison and Doughty. Mr. Chidsey abstained from voting.

**File Number
2006-03937**

In the matter of **File Number 2006-03002, Gary A. Crawford**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Mr. Gary Crawford (Respondent) and Mr. Quinto Falgiani, (Respondent Witness), were present and addressed the Board. Mr. Dennison moved that the Board accept the presiding officer's summary and recommendation and approve the application for Class II Waste Management Facility Operator's License for Gary A. Crawford. Mrs. Doughty seconded the motion which was approved by the following members: Miles, Jacobs, Brandon, Wade, Dennison and Doughty. Mr. Chidsey abstained from voting.

**File Number
2006-03002**

In the matter of **File Number 2006-05002, Howard L. Whitaker, Jr.**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Howard L.

**File Number
2006-05022**

Whitaker (Respondent) was not present at the board meeting. Mrs. Doughty moved that the Board accept the presiding officer's summary and recommendation and approve the application for Class I Waste Management Facility Operator's License for Howard L. Whitaker, Jr. Mr. Dennison seconded the motion which was approved by the following members: Miles, Jacobs, Brandon, Wade, Dennison and Doughty. Mr. Chidsey abstained from voting.

David Dick indicated that we are awaiting approval from the Governor before the final amendments to the Board's regulations may be placed into effect. **Regulatory Action**

Mr. Dennison moved that the Board adopt the following resolution: **Other Business**

Department of Professional and
Occupational Regulation

Board for Waste Management Facility Operators

Resolution To

P. Wade Kyle

WHEREAS, P. Wade Kyle, has faithfully and diligently served as a member of the Board for Waste Management Facility Operators from July 1, 2004 until June 1, 2006; and

WHEREAS, P. Wade Kyle, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, P. Wade Kyle, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Waste Management Facility Operators wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Board for Waste Management Facility Operators this twenty-seventh day of July, 2006 that P. Wade Kyle be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Board for Waste Management Facility Operators; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

Mr. Brandon seconded the motion, which was unanimously approved by the following members: Miles, Jacobs, Brandon, Wade, Dennison, Doughty and Chidsey.

The next meeting of the Board will be at the call of the Chair.

Karen O'Neal made a presentation to the Board members on its roles and responsibilities associated with carrying out their duties. **Orientation: Roles and Responsibilities**

Chairperson Miles asked the Board members to complete their conflict of interest forms and travel vouchers. **Conflict of Interest Forms**

There being no further business to conduct, Chairperson Miles adjourned the meeting at 12:00 Noon. **Adjournment**

DRAFT

Dan Miles, Vice Chairperson

Jay W. DeBoer, Secretary

COPY TESTE:

Custodian of the Records